

EPA REGION 10  
UNDERSTANDING 2008 ARC PROPOSAL GUIDELINES  
PUBLIC MEETING QUESTIONS & ANSWERS  
SEPTEMBER 2007

- Q) Are there significant changes or any new emphasis to the 2008 application guidelines?
- A) No. The only real change is a clarification of assessment activities that are required by the time Cleanup grant proposals are submitted, which is on page 11 of the Guidelines. They are working on sweeping changes for 2009 guidelines.
- Q) What are the requirements for a community notification plan?
- A) There are a couple of deadlines. In the past, as part of the Threshold requirements you had to notify your community before you submitted the proposal. But communities said this was too costly to complete before they even knew if they would get funding. EPA changed this requirement, so that the applicant has the option to wait until it knows it has been selected before conducting community notification. As a result you now have to present your plan to notify your community in your proposal. If you opt not to notify prior to submission, the requirement is that the notification plan must be implemented by the time of award (when all formal agency award paperwork is completed) and no later than September 12, 2008.
- Q) In regard to the letter from the state, as tribal applicants, do we need to submit a letter from the state?
- A) No. Tribal entities do not need a letter from the state. They do need a letter signed by their particular environmental authority, based on their tribal structure.
- Q) Is the Region 10 threshold review done individually or by a group?
- A) We have several project officers review each proposal individually. Our Regional Counsel also looks at each one.
- Q) Does the page limit include the two-page cover letter?
- A) Yes – the 18-page limit (single-sided) includes the narrative part of the proposal and cover letter.
- Q) Is there a font size designation?
- A) Yes. Twelve point font. There are formatting requirements on page 17 of the guidelines.
- Q) Should acronyms be spelled out in each section or just one time? Does the same reviewer read the whole proposal document?
- A) In order to help reviewers, our recommendation is that acronyms should be spelled out the first time used in each of the three sections, 1) cover letter, 2) threshold criteria, and 3) ranking criteria. Reviewers from the home region review the Threshold section, while a panel from an outside region will review and score

responses to the Ranking criteria. Ranking panels can but are not required to read cover letters and the threshold section.

Q) Does EPA require narrative information to be arranged by the sub-point as it is in the Guidelines?

A) While it is not a requirement to respond using the sub-point organization, it does help reviewers find information quickly and easily.

Q) Would assessment and cleanup of a meth lab in a private residence qualify for EPA ARC grant funding?

A) The Seattle-King County Public Health Department has been awarded two grants just to assess meth labs. These assessment grants are somewhat different because of the unique issues meth labs bring, and we are working with the grantee to address their needs within the constraints of our statute and program, but, yes, we have allowed funds to assess private residences. As far as cleanup of meth labs goes, like all cleanups the property would have to be owned by the grantee. In the case of a private residence, this might mean that the residence would come into the hands of the local government through condemnation or something similar.

Q) For petroleum, can a site be cleaned up when the actual source is offsite?

A) Yes, you can technically clean up a site when the source is offsite. However, it is important to ask: 1) if you can not control the source (i.e., it is on another property) will it become contaminated again; and 2) who is actually responsible for the contamination and is there a viable responsible party?

Q) Are federally-owned mine-scarred lands eligible?

A) Land that is in the custody or control of the US Government unfortunately does not meet the statutory definition of a Brownfield site. Therefore federally owned properties, including mine-scarred lands, are not eligible for work under our grants.

Q) Is the dollar limit for the community-wide grant \$200,000 for the total assessment?

A) \$200,000 is the limit for a community-wide assessment grant. A grant of \$200,000 for a community-wide assessment would most likely be applied to multiple sites. Many grantees use the funding to conduct community involvement and to build up their site inventory as well. In that case you would split the funding between the sites you selected in the community. As an example, you could do a \$10,000 assessment at 20 sites, but practically speaking you'll likely have more variation in costs and some other costs you'll want to cover.

Q) Can you apply grant funds to cleanup work already completed?

A) Funds can be applied to eligible cleanup costs for work conducted up to 90 days prior to award. Keep in mind that cleanup work to be reimbursed must meet all programmatic requirements. Contact us first to learn what those requirements are.

Q) Can you apply assessment funds to work already completed?

A) Same as previous. We can fund some eligible assessment costs up to 90 days pre-award; however, this work must meet all program requirements. For this grant cycle you should expect that funding will be available for work starting approximately summer 2008, not for work that is being conducted now. A Targeted Brownfields Assessment (TBA) might work better for a limited near-term assessment need.

Q) If the current owner is going to donate the site via "quitclaim" to an applicant entity, is that evidence of ownership?

A) Cleanup applicants are required to "own" the property by June 30<sup>th</sup>, 2008. The EPA definition of proof of ownership is possession of fee simple title to the property. There are several ways of acquiring fee simple title. "Quitclaim" has been used by applicants in the past as one method. Also sometimes we see properties purchased and other times they are donated to applicants. The most important thing is that you do obtain fee simple title by the deadline for having ownership, which is June 30, 2008. If designated awardees do not have fee simple title by that date, EPA cannot award the cleanup grant.

Q) Is it true that if you get a Cleanup grant, EPA requires you to sign up for your state's Voluntary Cleanup Program (VCP)?

A) Yes, or explain what the oversight mechanism would be. To our knowledge, the VCP is often the only option. Look into this now and determine whether you need to put VCP oversight costs in the budget.

Q) For the site specific grants, do you have to have site control?

A) For assessment grants you have to indicate how you will gain access to sites you do not own or control. In the case of cleanup, you are required to own the property at the time of award, and no later than June 30, 2008. Our definition of ownership is possession of fee simple title.

Q) With respect to the waiver of the \$200,000 site limit for assessment, when would an applicant request \$350,000 to assess one site?

A) You can request this much, but we are not sure how many sites need that much for a single assessment. This seems like an artifact in the statute; and it allows you to apply for extra money to do an assessment at one big site.

Q) If we already have a RLF grant with three coalition partners and we want to bring in an additional partner, can we then request more funding in association with the added partner?

A) You can add new partners to your coalition, but they don't come with money. You are eligible up to \$1,000,000 per member at the time of application. If you want additional funds you have to re-apply or come in for supplemental funding, something that is unique to the RLF program.

Q) What should the budget look like in terms of amounts in various categories?

A) There is no prescribed or preferred distribution of funds in a proposal budget. Talk with program partners in your region to get advice based on your situation. We

cannot give you a percentage, because we do not always know all the issues surrounding your site or the total costs of the cleanup.

- Q) You described budgeting assessments work under the “contractual” category, but if we have in-house capacity to conduct assessments can they be carried out by our staff?
- A) Yes you can use in-house staff, just make sure you are familiar with the expertise required to conduct assessments in accordance with our program requirements, such as the ASTM E1527-05 standard for Phase Is. Use the budget narrative to specify that you have the capacity to carry out the assessment.
- Q) In assessment grant applications do additional funds have to be linked to eligible costs to get funding?
- A) Assessment applications are not required to provide a cost share. If cost share is provided then it can only be used on eligible costs. You also have to demonstrate in the Ranking criteria how you are leveraging other resources to answer the question of potential contamination. Sometimes people can outline how they are leveraging funds to fill a gap in the funding. Maybe they have already leveraged funds to get to the Phase II assessment. But leveraged funds aren’t bound by our programmatic requirements.
- Q) Is it detrimental to include money for salary in the budget?
- A) EPA needs to see that there is going to be staff to run the project, therefore showing that some money is dedicated to salary can be beneficial in many cases. Acknowledging that grant funds cannot be used as ‘administrative’ overhead is also beneficial. Programmatic costs, such as reporting, that are directly related to implementation of the grant are allowable and salary can be considered here.
- Q) For a tribe that is considering paying for assessment work themselves, would they be downgraded for having higher salary and fringe costs rather than contractual costs under the “conduct assessments” task?
- A) Not necessarily. Explaining this in the narrative shows that the tribe would be getting more out of the grant funds and could be beneficial in scoring points. At some point, perhaps in the budget narrative or leveraging resources section, you might want to briefly touch on the capacity of the tribe to conduct these assessments.
- Q) In a prior application submission, the reviewer did not seem to comprehend the role of the applicant in serving the target community—it was a regional government entity—so in re-applying where would they attempt to clarify their role so it is clearer?
- A) The ‘community need’ section is most likely the best place to describe the unique roles of your organization.
- Q) On a community-wide assessment, where you may not have identified the sites, how do you know about access?

A) You do not have to own sites for assessment, just for cleanup. In a community-wide proposal, you do not need to specify exact sites. But you should indicate the selection criteria as well as tools and procedures you will use to acquire access to sites you want to assess. This can be, based on previous work. The City of Portland, for example, has a standard access agreement that assures access as needed.

Q) How do you discuss and compare multiple goals in site selection criteria? How in depth do we go into each?

A) This goes back to what the community needs. You need to make a case for all the goals. There is no easy answer. If you have multiple criteria in site selection, they should relate directly to community needs. Also, there is not necessarily a benefit to focusing on one objective versus several objectives; it depends on the community need. Provide as much detail as possible for each of the objectives.

Q) Does EPA discourage attachments?

A) While it is OK to include letters of support and other relevant attachments, they are not incorporated into the point score (except in the case of Community Involvement – they can increase your points here if applicable), and if they are hard to photocopy, sometimes they do not convey any meaningful information. Essentially, do not rely on attachments to convey any important information – make any attachment easy to understand and easy to photocopy (no color).

Q) Can the list of community partners be an attachment?

A) In the guidelines, we say to minimize attachments. If you can fit it in the body, it would be to your benefit. Also, you do not want to make the reviewer feel like you are doing an end-run around the page limit by adding attachments. If you have a long list, we suggest that you put the five stakeholders that you would like the reviewers to contact in the body of the proposal and list the rest in an attachment. Reviewers have to read the body; they do not have to read the attachments.

Q) Your recommendations for attachments raises another question - should I be worried about how consistently the approach to reviewing proposals will be applied across the Regions? Region 10 may follow the rules, but Region 10 won't be ranking our proposals.

A) This answer does not seem to match the question asked? The safest approach is to highlight key partners and the types of support they are providing, and then provide letters of support as attachments. In the body, highlight four or five key partners that you would want EPA to call.

Q) Can you identify past funds used to get at this criterion of leveraging funds?

A) You can identify past funds, things you applied for, things you are pursuing, or things you are aware of. At a minimum, we are looking for people to be aware that there are other resources, because they are going to need them to get from assessment through redevelopment. For Assessment grants, it is good to think about who will pay for cleanup and redevelopment. Those are likely to be your leveraged resources.

Q) Is there a prohibition about leveraging one grant against another?

A) Not with the Brownfields program. This program is all about leveraging; however, leveraging resources outside of EPA and Brownfields may result in higher scores. The only caveat is the cost share; that cannot be leveraged federal funding.

Q) In reference to the Programmatic Capability Question #3, is it a cooperative agreement specific to the ARC grant program or does it broaden to State Response grant program?

A) It could include State Response Grants.

Q) We had a survey some years ago to find out what hurdles were for small cities and counties. We found that some communities are so small that they have no capacity to manage grants. We have tried to help them, but how should that be reflected in this grant process?

A) One aspect of brownfields that may be surprising to you is how strong the sentiment is nationally that this not just an urban issue; we know we need to work on making sure that rural communities are not left behind. In Region 10 we have had good experiences working with small, local governments (e.g., a community with only one paid staff member). One example we point to is a community that contracted out grant administration to the local economic development district. So you should not worry so much about the size of your fiscal staff but rather outline what support is available in the programmatic capability section (e.g., staff expertise, outside partners).

Q) If you cannot answer the two questions in the programmatic capability section related to managing previous federal and Brownfields grants, do you lose those points?

A) You do not lose the points. You get a neutral score. Previous grant performance really serves to monitor prior grantees with poor records of performance. But also we cannot responsibly award money to people who have no demonstrated capability to manage federal funds or a rational plan for managing it. So the remaining questions in this criterion ask you to explain how you will have the capability to manage funds.

Q) Is the number or the type of points more important in scoring?

A) The important factor is the total number of points, not where they are scored.

Q) Do you see a better success rate with grant applications for petroleum contamination compared to hazardous substances, or is the win rate the same?

A) Last year 34% of the successful proposals nationwide were for petroleum cleanups. Despite the larger percentage of funding going to hazardous substance projects, it still may be a little harder to get than petroleum funding, because there are consistently more applications for hazardous substance funding. Another observation we've made is that many communities will submit two community

assessment proposals – one for each type of contamination – and if they only win one of the two, it always seems to be for the petroleum.

Q) Is it possible that one region would get more grants than others due to size? Are the regions with more proposals more competitive?

A) Again this is a competitive process so regions do not have a guaranteed quota. Some regions receive significantly more grant proposals and consequently more grants tend to get awarded in those regions; however, the percentage of successful applications (about 1/3) is generally the same across all regions.

Q) Is there a quota or any specific allocation of grants between urban and rural communities?

A) This a competitive process and there are no quotas. Consideration may be given to communities with specific designations, though such considerations have not had to be used in recent years because of the natural delineation of scores. A list of those designations, including consideration given to the “fair distribution among rural and urban communities” is in the Guidelines on page 57.

Q) Do you take into account past Brownfields grants to try to spread opportunities?

A) The EPA is having that policy discussion to make certain that funds are distributed fairly. EPA monitors how well we spread the funds equitably and discussions are ongoing. But remember, this is a competitive process and we give grants to the proposals with the most points. There are no quotas given to regions. There are special considerations (See Guidelines, p. 57) that may be used by the EPA Administrator to make final decisions. For example, some considerations include federal empowerment zones, renewal communities, enterprise communities, environmental justice concerns, fair distribution of funds between urban/non urban communities, and dispersion among EPA’s 10 Regions. To our knowledge the natural delineation of scores has not warranted use of these special considerations in recent years.

Q) So if the funds are not divided up evenly by EPA Regions, is there a conversation about doing that in the future?

A) Last year, Region 10 received 35 proposals, while Region 5 got 215. They have a greater number there; however, the percentage of successful proposals is more or less the same across all Regions. Regarding whether the money will be divided up proportionally, there is no guarantee. When they present all the scores to the Agency Administrator, that is when the top Agency officials have the option to evaluate the regional balance of awards.

Q) When will the money flow for this round of grants?

A) In summer 2008; most likely June.